



## Administrative Policies and Procedures: 24.01

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### Subject                      SNAP General Administrative Procedures

#### Approved by

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**Approval Date:** 12/18/2017

**Effective Date:** 01/15/2018

#### Authority

1240-01-13-.01 Rule, TCA §§14-1-105(12); 14-8-106; 14-8-119, and 14-27-104(2); 7 CFR 272.1 (as amended 49 Federal Register 48680). 1240-01-13-.02 Rule, TCA §14-8-119; 1240-9-1-.05 Rule.

#### Application

All TDHS Employees and Contractors

### Policy Statement

The Tennessee Department of Human Services (TDHS) will maintain applicant/participant case files according to State and Federal guidelines.

### Purpose

This policy was developed to provide procedures and guidelines for staff to ensure case files are accurately maintained.

### Procedures

#### A. Management of Case Records

1. Information in the SNAP case record must be:
  - a) Accurate,
  - b) Up-to-date, and
  - c) Pertinent to eligibility.
2. All sources of information and verification should be clearly indicated.
3. Individuals who give information are to be identified.
4. Factual information must be clearly distinguished from expressions of opinion.

#### B. Confidentiality of Case Records

1. TDHS has adopted the policy of maintaining the confidential nature of Family Assistance information.

2. The regulations of the Department are aimed at:
  - a) Developing a relationship of confidence between the Department and the Applicant/Recipient.
  - b) Defining and protecting the rights of applicants through safeguards against:
    - Identification of such individuals as a special group.
    - Exploitation of this group for commercial, personal or political purposes.
    - Making information available solely as a basis for prosecution and other proceedings or at the direction of the department's office of General Counsel.
  - c) Providing a basis for recognition by the court of the right of the Department to protect its records.
  - d) Developing a relationship of confidence between the Department and the public at large, by protecting information made available to the Department by representatives of the public and utilizing such information only for the purpose of the proper functioning of the Department's programs.

- C. Information Considered Confidential**
1. In general, all personally identifiable information is confidential, including, but not limited to the following.
    - a) Case records,
    - b) Lists of Family Assistance participants,
    - c) Reports of investigations and medical investigations,
    - d) Names and addresses of Family Assistance participants,
    - e) All other information known to the agency in connection with Family Assistance and other services, and/or
    - f) Information contained on applications and on various forms.

- D. Exceptions to Confidential Information**
- The items below are the exceptions to confidential information. Staff shall make sure to contact the Office of General Counsel before making any exceptions. Office of General Counsel, Citizens Plaza Building, 15<sup>th</sup> Floor, 400 Deaderick Street, Nashville, TN 37243, (615) 313-4731.
- a) Information released to law enforcement officials to assist in prosecuting fraud against the Department or child abuse, where otherwise required by federal law;
  - b) Information released to appropriate agencies assisting in collection of child support in the Temporary Assistance for Needy Families (TANF) program;
  - c) Information released to service providers, such as mental health professionals, providing services to abusive or neglectful parents;
  - d) Information released to the Department of Labor and Workforce Development for work registration and other employment and training requirements;
  - e) Information released to the child's guardian ad litem in child custody

and guardianship cases;

- f) Total expenditure of funds across the agency or by program;
- g) Number of recipients and other statistical information across the agency or by program; and/or
- h) Social data contained in general studies.

#### **E. Confidential Cases**

1. Confidential cases, such as those involving DHS employees, their relatives, and any other individuals an employee has a close personal relationship are required to be maintained in a confidential caseload.
2. Close personal relationships may include, but is not limited to:
  - a) Dating or co-habiting relationships;
  - b) Relationships in which business transactions are regularly conducted; and/or
  - c) Personal friendships that transcend a casual acquaintance, such as: a person whose home is frequently visited by the employee, or vice-versa or a person with whom the employee socializes "one-on-one" on a regular basis.

#### **F. Applications by Department Employees, their Relatives, or other Individuals who are known to the Employee**

1. To avoid conflict of interest and ensure privacy, special handling is given to TDHS employees and their relatives who apply for and receive Family Assistance benefits.
2. The eligibility counselor shall not have a "close personal relationship" with the applicant/recipient or members of the applicant's/recipient's household. Where there is a close personal relationship, the eligibility counselor shall disqualify her/himself from the eligibility and reverification process.
3. The disqualification process will be:
  - a) The eligibility counselor shall immediately notify his or her supervisor of the need to disqualify her/himself from the eligibility process. The supervisor shall assign the case to a confidential caseload. In situations where a close personal relationship exists, the case shall be assigned to a confidential caseload as described above.
  - b) The Field Management Director shall be made aware of applications, recertification or case reviews for Family Assistance from an employee of the Department or from an employee's parents, step-parents, grandparents, siblings, step siblings, aunt, uncle, and any member of the employee's household or someone that the employee has a close personal relationship with.
  - c) To assure the privacy and the integrity of those cases, each county should develop a plan for limited access to these cases by other staff members and the employee himself. Such cases may be assigned to a special caseload number in the ACCENT System.

#### **G. Release of Information to the Applicant/Participant or their Representative**

1. Federal regulations require that information in SNAP cases be made available upon written request to a responsible member of the SNAP household; the household's currently authorized representative or a person acting on the household's behalf. Therefore, the SNAP case must be made available for inspection by authorized persons during regular business

hours.

2. If the person seeking to inspect the case is not a member of the household, the current authorized representative, or a licensed attorney representing the household, written authorization from the household for the person to act on its behalf is required.
3. A staff member will remain with an applicant/recipient (A/R), a claimant, or his/her representative who is reviewing a case or is making a reproduction of the material.
4. Staff will make no effort to interpret or explain forms, documents, or other information contained in a case folder being reviewed by an A/R or his/her representative.
5. A/R's or their representatives are to be permitted to obtain copies of any pertinent information which they are allowed to see.
6. Upon an appellant's or representative's request, one copy of portions of the case relevant to the fair hearing/fraud hearing will be furnished free of charge.
7. When copying equipment is available, copies of other case record material may be furnished to an A/R, or an appellant, or an A/R's/appellant's representative at the charge specified at [Chapter 1240-09-01-.05](#).

**H. Release of Information to Persons other than the Applicant/Participant or Someone Acting on their Behalf**

1. All subpoenas or requests for Department records by law enforcement shall be forwarded to the Department's Office of General Counsel for response. Office of General Counsel, Citizens Plaza Building, 15<sup>th</sup> Floor, 400 Deaderick Street, Nashville, TN 37243, (615) 313-4731.
2. All other requests for information received by the Department or any of its divisions, such as request for list of names and addresses, should be referred through channels to the appropriate Director of the program involved.

**Forms**

None

**Collateral Documents**

[Chapter 1240-09-01 Access to Public Records of the Department of Human Services](#)

**Additional Resources**

[Chapter 1240-01-13 Case Record Management](#)

**Retention of Records**

Pending

**Glossary**

<b>Term</b>	<b>Definition</b>
<b>ACCENT</b>	An integrated system built to support eligibility processing for the Supplemental Nutrition Assistance Program (SNAP) and Families First. The system allows users to collect data, determine eligibility, and perform case management.

**Acronyms**

<b>Abbreviation</b>	<b>Expansion</b>
<b>ACCENT</b>	Automated Client Certification and Eligibility Network for Tennessee

<b>Supersedes</b>	Bulletin 35, FA-10-18 Supplemental Nutrition Assistance Program (SNAP) Policy Manual, July13, 2017, Chapter 34 General Administrative Procedures
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